

Attorney Docket No.: DRE-0063
Inventors: Basude et al.
Serial No.: 09/980,134
Filing Date: July 2, 2002
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REMARKS

Claims 1-14 are pending in the instant application. Claims 1-14 have been rejected. Claim 1, 2, 3, 4, 5, 10, 11, 12, 13 and 14 have been amended. Support for the amendments is provided in the specification at page 6, lines 14-22, page 8, lines 13-17, and page 11, lines 14-22. Thus, no new matter is added by these amendments. Reconsideration is respectfully requested in light of these amendments and the following remarks.

Rejection of Claims under 35 U.S.C. § 102(b) and 35 U.S.C. § 103

The rejection of claims 1-7 and 10-14 under 35 U.S.C. § 102(b) as being anticipated by Rasor (U.S. Patent 5,141,738) has been maintained.

The rejection of claims 1-7 and 9-14 under 35 U.S.C. § 102(b) as being anticipated by Schneider (U.S. Patent 5,271,928) has also been maintained.

In addition, the rejection of claim 8 as being unpatentable over Rasor (5,141,738) or Schneider (5,271,928) in view of Unger (U.S. Patent 5,542,935) under 35 U.S.C. 103(a) has been maintained.

Arguments presented by Applicants in the previous response were not found persuasive as the Examiner suggests that the feature upon which Applicants rely to distinguish

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the present invention, namely that the microbubbles are prepared without surfactant, is not recited in the claims.

Accordingly, in an earnest effort to advance the prosecution of this case, Applicants have amended the claims to state that gas microbubbles are formed by introducing a gas into water, a buffer, or blood without surfactant. Support for this amendment can be found in teachings in the specification at page 6, lines 14-22 and page 8, lines 13-17, wherein gas microbubble formation in water, a buffer or blood is taught. Absent from these teachings is any mention of surfactant in the liquid. Further support for this amendment is provided in the specification at page 11, lines 14-22, wherein experiments are set forth demonstrating that inclusion of surfactant dramatically decreased the backscattered enhancement as compared to surface stabilized microparticles of the present invention prepared without surfactant.

This amendment clearly distinguishes the present invention from the cited prior art which all require surfactant.

Withdrawal of these rejections under 35 U.S.C. 102(b) and 103 is therefore respectfully requested.

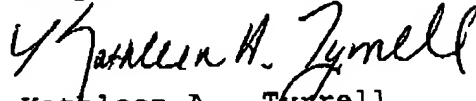
Conclusion

Applicants believe that the foregoing comprises a full and complete response to the Office Action of record.

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Accordingly, favorable reconsideration and subsequent allowance of the pending claims is earnestly solicited.

Respectfully submitted,


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